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Dated: January 13, 2004

Signature:

*Ronnie Webb*  
(Ronnie Webb)

Docket No.: ORYXE.022A  
(AKA P02917US0)  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Utility Application of:  
Frederick L. Jordan

Application No.: 10/084,237

Art Unit: 1714

Filed: February 26, 2003

Examiner: Cephia D. Toomer

For: METHOD AND COMPOSITION FOR USING  
ORGANIC, PLANT-DERIVED, OIL  
EXTRACTED MATERIALS IN DIESEL FUEL  
ADDITIVES FOR REDUCED EMISSIONS

**REVISED AMENDMENT UNDER 37 C.F.R. 1.111**

Mail Stop Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

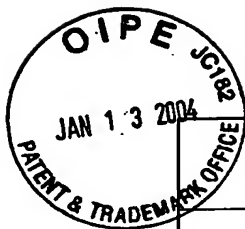
**INTRODUCTORY COMMENTS**

In response to the Office Action dated September 26, 2003, please enter the following Amendments and consider the remarks which follow:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 3 of this paper.

A new Power of Attorney also accompanies this response.



01-14-04

GAU 1714  
Image

## AMENDMENT TRANSMITTAL LETTER

Docket No.  
ORYXE.022A  
(AKA P02917US0)Application No.  
10/084,237Filing Date  
February 26, 2002Examiner  
Cephia D. ToomerArt Unit  
1714

Applicant(s): Frederick L. Jordan

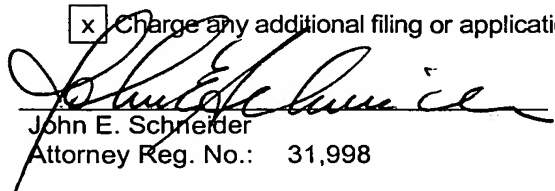
Invention: METHOD AND COMPOSITION FOR USING ORGANIC, PLANT-DERIVED, OIL  
EXTRACTED MATERIALS IN DIESEL FUEL ADDITIVES FOR REDUCED EMISSIONS

## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED  |   |   |                                   |         |   |
|--|---|---|-----------------------------------|---------|---|
|  | Claims<br>Remaining<br>After<br>Amendment | Highest<br>Number<br>Previously<br>Paid | Number<br>Extra Claims<br>Present | Rate    |   |
| Total Claims   | 0   | - 27 =                                  | 0                                 | x 18.00 | 0 |
| Independent<br>Claims  | 0   | - 1 =                                   | 0                                 | x 86.00 | 0 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> |   |   |                                   |         |   |
| Other fee (please specify):  |   |   |                                   |         |   |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:                                 |   |   |                                   |         | 0 |

☐ Large Entity☒ Small Entity☐ No additional fee is required for this amendment.☐ Please charge Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_.  
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 06-2375  
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.  
John E. Schrieder

Attorney Reg. No.: 31,998

Dated: January 13, 2004FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
(713) 651-8205

## Amendment Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER147057014US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: January 13, 2004

Signature:  (Ronnie Webb)



101084237

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. Box 1450  
ALEXANDRIA, VA 22313-1450  
www.uspto.gov

Paper No.

## Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 12-11-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

## THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☒ E. Other: Please use format 1-27 cancelled, w/28 to the last claim

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

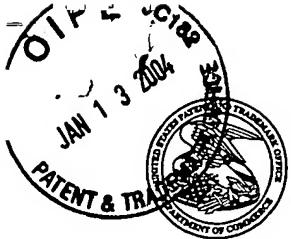
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Farmer  
Legal Instruments Examiner (LIE)

571-272-1005  
Telephone No.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/084,237      | 02/26/2002  | Frederick L. Jordan  | ORYXE.022A          | 2035             |

26271 7590 01/05/2004  
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HOUSTON, TX 77010-3095

Received  
JAN 08 2004  
Docket: P02917050  
Client: Oryxe  
Attorney: JES

|                  |              |
|------------------|--------------|
| EXAMINER         |              |
| TOOMER, CEPHIA D |              |
| ART UNIT         | PAPER NUMBER |
| 1714             |              |

DATE MAILED: 01/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.